

Exhibit 3

From: Zhao, Yanan
Sent: Tuesday, August 29, 2023 2:17 PM
To: Daniel Tishman; Werner, Tom; James Y. Kim
Cc: Park, Ryuk; FISH SERVICE Samsung/Netlist 22cv00293; Nester, Brian; Ahn, Alice; tom@gillamsmithlaw.com; ~Smith, Melissa; ~Baxter, Samuel; jtruelove@mckoolsmith.com; #Netlist-Samsung293; Winston-Micron-Netlist
Subject: RE: [Netlist | Samsung] Notice of Subpoena to SK hynix

Dan, we offer to produce the same materials as a compromise if Samsung agrees to not seek or move to compel production of the remaining materials (e.g. filings, document productions, transcripts, contentions, written discovery) from litigations/IPRs between Netlist and SK hynix either from Netlist or a third party consistent with the Court's ruling.

Best,
Yanan

From: Daniel Tishman <tishman@fr.com>
Sent: Tuesday, August 29, 2023 10:28 AM
To: Werner, Tom <TWerner@irell.com>; James Y. Kim <jyk@agoralaws.com>
Cc: Park, Ryuk <RPark@winston.com>; FISH SERVICE Samsung/Netlist 22cv00293 <FISHSERVICESamsung/Netlist22cv00293@fr.com>; Nester, Brian <BNester@cov.com>; Ahn, Alice <aahn@cov.com>; tom@gillamsmithlaw.com; ~Smith, Melissa <melissa@gillamsmithlaw.com>; ~Baxter, Samuel <sbaxter@mckoolsmith.com>; jtruelove@mckoolsmith.com; #Netlist-Samsung293 <Netlist-Samsung293@irell.com>; Winston-Micron-Netlist <Winston-Micron-Netlist@winston.com>
Subject: RE: [Netlist | Samsung] Notice of Subpoena to SK hynix

Thanks Tom.

Judge Payne's order in the 203 case requires Netlist to produce: "all declarations and deposition transcripts of employees or officers of Netlist and the inventors of the asserted patents." See attached. Please confirm that Netlist will produce the same to Samsung in the 293 case. I recall Jason said yesterday that Netlist will produce the same categories of depositions to Samsung as Judge Payne ordered it to produce to Micron in the 203 case.

Best regards,
Dan

Daniel Tishman :: Fish & Richardson P.C. :: +1 (202) 626-7725

From: Werner, Tom <TWerner@irell.com>
Sent: Tuesday, August 29, 2023 12:16 PM
To: Daniel Tishman <tishman@fr.com>; James Y. Kim <jyk@agoralaws.com>
Cc: Park, Ryuk <RPark@winston.com>; FISH SERVICE Samsung/Netlist 22cv00293 <FISHSERVICESamsung/Netlist22cv00293@fr.com>; Nester, Brian <BNester@cov.com>; Ahn, Alice <aahn@cov.com>; tom@gillamsmithlaw.com; melissa@gillamsmithlaw.com; Sam Baxter <sbaxter@mckoolsmith.com>; jtruelove@mckoolsmith.com; #Netlist-Samsung293 <Netlist-Samsung293@irell.com>; Winston-Micron-Netlist <Winston-Micron-Netlist@winston.com>
Subject: RE: [Netlist | Samsung] Notice of Subpoena to SK hynix

Dan and James,

Very truly yours,

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(he/him/his)